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Outline Of Reference Paper On:

THE 1961 ELECTIONS OF SOVIETS

AND PROBLEMS OF LOCAL GOVERNMENT

by

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The author of this analysis, A. Yurchenko, is a graduate of the law school of the Kiev Institute of National Economy. In 1948 he was appointed lecturer at the Ukrainian Free University in Munich. He was awarded a doctor of laws degree by the same institution in 1952. In 1953 he became Professor Extraordinary. His major contribution to date has been "Ukrainian-Russian Relations After 1917 In the Legal Realm," written for the East European Institute.

The political backbone of the Soviet Union is made up of the local soviets on the krai, oblast, raion, city and settlement level. Being the basic units of the state system, the local soviets do not represent local interests. Therefore, in the March, 1961, elections of local soviets, local issues were of secondary importance in the election campaign.

An examination of the role the local soviets have played throughout Soviet history reveals a gradual whittling down of their importance, a process which began actually soon after the revolution.

Recently the reorganization of the administration in industry imposed further constitutional restrictions on the oblast soviets by removing them from participation in the administration of industry at Union-republic level.

The current Soviet attitude toward the local soviets is best summed up in the words of a Soviet legal expert: "Historical experience shows that...only with the leading role of the Communist Party are the soviets capable of carrying out the tasks of the dictatorship of the projetariat."

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SOVIET AFFAIRS ANALYSIS SERVICE

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THE 1961 ELECTIONS OF SOVIETS AND PROBLEMS OF LOCAL GOVERNMENT

by

A. Yurchenko

In the words of the Presidium secretary of the Supreme Soviet, Mikhail P. Georgadze, the elections of local soviets, or councils, held on March 5 and March 19, 1961, were preceded by "a nationwide discussion of problems of Soviet domestic and foreign policy..." (Izvestia, March 5, 1961). Georgadze went on to declare that the work of the local soviets "must be subordinated to the solution of the tasks set by the January Central Committee Plenum" (Ibid.). Thus it appears that local issues took second place in the election campaign.

An examination of the role of the soviets shows that, being the political and organizational backbone of the entire Soviet state system, they are not geared to represent local interests. Moreover, their initial role and their original importance have been gradually whittled down. The statement that the soviets are the "political basis" of society has become a stereotyped, somewhat meaningless formula. Nonetheless, this official definition of the soviets as the "local organs of state power" still means that they differ considerably from organs of local self-government.

In 1917 the soviets were the only directly elected state organs of the "republic of soviets," which had taken the place of a parliamentary republic in April of that year. The highest organs of power in this "republic of soviets" were organized in a hierarchy of congresses of soviets, which created the necessary executive organs. On paper, the organs at the bottom of the structure, the urban and rural soviets, were the basis of this system. Yet even in the initial period of the dictatorship of the proletariat, state control of these organs reduced them to a position of complete subordination. The local soviets were to carry out "general state plans," and were "not so much to concern themselves with local interests as to combine them with the interests of the state as a whole" (M. Kalinin, O Proyekte Konstitutsii RSFSR," On the Draft Constitution of the

RSFSR," Moscow 1937, p. 23). Thus the soviets became ordinary links in the over-all state administrative system.

The constitution of 1936 reaffirmed that the soviets were the main political basis of the regime. However, it deprived the urban and rural soviets of their unique character as the political basis of the system since all the soviets, including the supreme soviets began to be selected by direct election. Subordination of the lower soviets and of their executive committees to the higher soviets was maintained, however. The higher-level soviets still had the right to "countermand decisions and decrees of the lower soviets" (Konstitutsiya RSFSR, The Constitution of the RSFSR, article 91). The Council of Ministers of a constituent republic had the same rights over the krai and oblast soviets (Ibid., article 46). Even the soviets of the Union republics were deprived of the right to deal with problems of their respective republics. The result was called "centralized supervision by the higher organs of the lower ones as a means of fulfilling general state tasks in the interests of the entire country and local regions" (Sovetskoye Gosudarstvennoye Pravo, Soviet State Law, Moscow, 1960, p. 329). This dependence of the local soviets on the central government departments has been characterized as follows: "...The executive committees of the urban, raion, and even oblast soviets are tied hand and foot by decrees and instructions from the republic organizations" (Izvestia, March 7, 1957).

Another factor tending to deprive the soviets of all independence was the reorganization of the administration of industry in 1957. It led, on the one hand, to a limited amount of decentralization in this field, but, on the other hand, restricted constitutionally even more the rights of the oblast soviets by removing them from participation in the administration of industry at Union-republic level.

Had the situation changed by the March, 1961, local elections? Soviet sources provide little information; they restrict themselves to generalizations. Georgadze, for example, asserts that "now the sessions of the soviets are considerably better prepared. They are as a rule convened regularly...Broad publicity is the essential rule of the work of the local soviets" (Izvestia, March 5, 1961). Soviet jurists Azovkin, Piskotin, and Tikhomirov state that "within the limits of the rights granted them, the local soviets have been better able to supervise the work of the enterprises and organizations situated in their regions, which are subordinate to the higher state organs." They are apparently talking about how the local soviets carried out instructions from above. They also remark that "the implementation of the decisions of the Plenum (January 1961) requires a decisive improvement in organizational work by the local soviets" (Pravda, March 3, 1961).

The authorities point to the increase in the number of members as proof of a revival in the work of the soviets. More than 1,600,000 deputies were elected in the nine republics in which elections were held on March 5, In 1959.

the figure was 1,800,000 for the USSR as a whole. Further, more than 2,500,000 persons have been enrolled for work on the commissions and organs of the soviets. This increase in number is quoted as an example of the development of Soviet democracy and the gradual transformation of the soviets, within the framework of the general program for the all-out building of socialism, into organs of "self-administration by the people." The Soviet press also points to the extension, as Soviet society develops, of the so-called "public basis," which will make possible a "reduction and replacement of a paid administrative apparatus by unpaid fulfillment of administrative functions" (Ibid.).

In general, the new formula--the soviets are the organs of self-administration by the people--does not mean that they will resemble organs of local government in the non-Communist countries. According to the Chairman of the Executive Committee of the Moscow Soviet, N. Bobrovnikov, "a typical feature of the soviet system...even in the future, is the fact that they do not oppose local self-administration to state power....Self-administration by the masses in the conditions of a socialist state has fused with state power, as expressed in the unified system of soviets of workers deputies" (Sovetskoye Gosudarstvo I Pravo, No. 10, 1960, pp. 41-42).

In the words of the Soviet legal expert Umansky, the soviets in themselves are only the mold which "does not guarantee a revolutionary content." This "content of the soviets as the organs of the dictatorship of the working class is determined by the leading role of the Communist Party. Historical experience, "Umansky went on," shows that the soviets, when they dispensed with the guidance of the Communist Party, ceased to serve the interests of the working class and became a cover for counterrevolution.... These facts substantiate time and again the Marxist-Leninist principle that only with the leading role of the Communist Party are the soviets capable of carrying out the tasks of the dictatorship of the proletariat."